

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL C. MANOSH,

Plaintiff,

v.

6:11-CV-0482
(NAM/GHL)

HIGHLAND COURTS OFF.,

Defendant.

APPEARANCES

MICHAEL C. MANOSH

Plaintiff, *pro se*

GEORGE H. LOWE, United States Magistrate Judge

REPORT-RECOMMENDATION

On April 28, 2011, Plaintiff Michael C. Manosh filed a *pro se* complaint and application to proceed *in forma pauperis*. (Dkt. Nos. 1-2.) Plaintiff's application to proceed *in forma pauperis* was incomplete. Plaintiff indicated that he was not currently employed, but failed to state the date of his last employment, the amount of his take home salary or wages, and the name and address of his last employer. (Dkt. No. 2 at 1-2.) Plaintiff also indicated that he received money in the past year from a "business, profession or other self employment" but failed to describe the source of the money and state the amount received and what he expected he would continue to receive. *Id.* It was also unclear whether Plaintiff had any dependents because that portion of the application was blank. *Id.* at 2.

On May 13, 2011, the Court denied Plaintiff's *in forma pauperis* application because of these deficiencies. (Dkt. No. 3.) The Court's order stated that if Plaintiff wished to move again to proceed *in forma pauperis*: "he must submit a new, signed, and fully completed *in forma pauperis* application **within thirty (30) days of the date of this Order.** If Plaintiff fails to file such an application within thirty (30) days, he will be required to pay the \$350.00 filing fee in order to proceed with this case." (Dkt. No. 3 at 1-2, emphasis in original.)

To date, Plaintiff has neither submitted a new *in forma pauperis* application nor paid the filing fee. Therefore, I recommend that the Court dismiss Plaintiff's complaint.

ACCORDINGLY, it is


RECOMMENDED that Plaintiff's complaint (Dkt. No. 1) be dismissed for failure to file a completed *in forma pauperis* application or pay the filing fee.

Pursuant to 28 U.S.C. § 636(b)(1), the parties have fourteen days within which to file written objections to the foregoing report. Such objections shall be filed with the Clerk of the Court.

FAILURE TO OBJECT TO THIS REPORT WITHIN FOURTEEN DAYS WILL PRECLUDE

APPELLATE REVIEW. *Roldan v. Racette*, 984 F.2d 85 (2d Cir. 1993) (citing *Small v. Secretary of Health and Human Services*, 892 F.2d 15 (2d Cir. 1989)); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72, 6(a).

Dated: October 21, 2011
Syracuse, New York


George H. Lowe
United States Magistrate Judge